

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
WASHINGTON, DC

FSIS DIRECTIVE

5420.3,
Revision 2

1/26/2005

HOMELAND SECURITY THREAT CONDITION RESPONSE – MONITORING AND SURVEILLANCE OF PRODUCTS IN COMMERCE

I. PURPOSE

A. This directive details the procedures that the Food Safety and Inspection Service's Office of Program Evaluation, Enforcement and Review, Compliance and Investigations Division (FSIS, OPEER, CID) personnel will follow in the event that a Threat Condition Elevated (Yellow), High (Orange), or Severe (Red) is declared by the Department of Homeland Security. In such an event, CID personnel are to follow the instructions in this directive for the duration of the declared heightened threat condition.

B. This directive establishes:

- how threat conditions will be communicated to CID personnel,
- specific instructions to CID personnel on how to respond to threat conditions, and
- a mechanism to communicate food security concerns/events that are observed to FSIS' Office of Food Security and Emergency Preparedness (OFSEP).

II. CANCELLATION

FSIS Directive 5420.3, Rev. 1, dated 7/2/04

III. REASON FOR REISSUANCE

This directive is reissued in its entirety to provide clarification of responsibilities in the event of a Threat Condition Elevated (Yellow).

DISTRIBUTION: Inspection Offices; T/A Inspectors; Plant Mgt.; T/A Plant Mgt.; TRA; ABB; TSC; Import Offices

OPI: OPPEP

IV. REFERENCES

9 CFR part 300 to end
FSIS Directive 5420.1, Rev. 1, Homeland Security Threat Response – Food Security Verification Procedures

V. BACKGROUND

In 2002, the White House, Office of Homeland Security established a Homeland Security Advisory System (HSAS) based on color to provide a comprehensive and effective means to disseminate information regarding the risk of terrorist acts to Federal, State, and local authorities and to the American people. A declaration of a Threat Condition Yellow by the Department of Homeland Security indicates that there is an elevated risk of terrorist attacks. A declaration of a Threat Condition Orange by the Department of Homeland Security indicates that there is a high risk of terrorist attacks. A declaration of a Threat Condition Red reflects a severe risk of terrorist attacks. While the threat declaration may or may not involve the nation's food and agriculture sector specifically, it is imperative that any such declarations be communicated effectively and rapidly to all program areas within FSIS so that appropriate actions can be taken to respond to the threats and ensure the security of meat, poultry, and egg products.

VI. NOTIFICATION

A. In the event of a declaration of any Threat Condition:

- Elevated (Yellow), when there is a significant risk of terrorist attacks
- High (Orange), when there is a high risk of terrorist attacks, or
- Severe (Red) which reflects a severe risk of terrorist attacks,

by the Department of Homeland Security, the Office of Food Security and Emergency Preparedness (OFSEP) will inform the FSIS Administrator and senior executive leadership of all FSIS program areas. The Office of the Administrator will issue an e-mail letter to all employees notifying them of the heightened threat condition.

VII. SPECIFIC THREAT CONDITION ACTIVITIES

The following are the actions to be taken in the event of a declaration of:

A. Threat Condition Elevated (Yellow).

Continue to observe establishment operations for any unusual activity that may be related to food security.

B. Threat Condition High (Orange) or Severe (Red) with no specific threat to the food and agriculture sector.

In addition to OFSEP notification, CID headquarters will notify its personnel of the heightened threat level. The CID Regional Offices, upon notification by CID headquarters of the threat level, will:

1. Review their Continuity of Operations Plans (COOP) to ensure that they are current and accessible.
2. Ensure on-call procedures are in place and ready for activation.
3. Ensure updated personnel contact information is available.
4. Alert the businesses they have reviewed during the course of their duties of the threat level.

C. Threat Condition High (Orange) with a specific threat to the food and agriculture sector.

CID headquarters managers and CID Regional Offices will be placed in a 24/7 on-call status. The CID Regional Offices, upon notification by CID headquarters of the threat level, will:

1. Place CID field supervisors in a 24/7 on-call status.
2. Immediately direct CID field personnel to perform review and monitoring activities in warehouses, distribution centers, I-houses, and transporters (e.g., particularly trucks, and to a lesser extent rail cars and planes) according to the CID Heightened Alert Food Security Review Protocol. CID personnel will focus activities on high risk products, high risk facilities, and critical nodes as directed by OPEER, at the time of the declaration. Any activity at ports of entry will be coordinated with the Office of International Affairs (OIA) personnel.
3. Document review and monitoring findings on FSIS Form 8000-8 Review and Compliance Record and assign the appropriate risk category.
4. Direct CID field personnel to collect additional retail ground or comminuted beef product samples if needed.
5. Increase the reporting frequency of all review, monitoring, and sampling activities related to food security to at least weekly.

6. Implement the System of Accounting for Field Employees (SAFE) to monitor location and status of all CID field personnel.

7. Prepare for implementation of COOP.

8. Report emergencies or significant food security concerns to the CID Regional Office immediately by telephone and follow up with a Report of Suspicious Activity (RSA).

D. Threat Condition Severe (Red) with a specific threat to the food and agriculture sector.

All CID headquarters and CID Regional Office personnel will be placed in a 24/7 on-call status. The CID Regional Office, upon notification of the threat level will:

1. Take all actions outlined under Threat Condition Orange involving a specific threat to the food and agriculture sector.

2. Place all field personnel in a 24/7 on-call status.

3. Carry out any additional activities as directed by CID headquarters, e.g. undertaking additional oversight and monitoring, taking samples of specific products, or performing enforcement actions.

4. Implement COOP in all geographic locations effected by the threat.

5. Deploy CID field personnel to sites where acts or threats related to food security of amenable products have been identified or have taken place and ensure a coordinated response with local, State, or Federal agencies.

Downgrading of threat condition declarations will be communicated by OFSEP to CID personnel through the senior executive leaderships in OPEER.

Direct all questions related to this directive through supervisory channels.

/s/ Philip S. Derfler

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Office of Policy, Program, and Employee Development